

ENTERED

February 23, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

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|------------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| VS. | § | CRIMINAL ACTION NO. 2:17-CR-15 |
| | § | |
| JORGE RODRIGUEZ-BARRERA; aka | § | |
| JORGE LUIS RODRIGUEZ-BARRERA | § | |

OPINION AND ORDER GRANTING MOTION FOR CONTINUANCE

On February 23, 2017, the Defendant orally moved for a continuance of the final pretrial conference and jury selection and trial because the Defendant and counsel had not yet had adequate time to investigate the Defendant's possible claim to derivative citizenship. The United States was unopposed to the motion.

Under the Speedy Trial Act, a district court may grant a continuance and exclude the resulting delay from the time in which a trial must commence if it makes on-the-record findings that the ends of justice served by granting the continuance outweigh the public's and defendant's interests in a speedy trial. 18 U.S.C. § 3161(h)(7).

Having considered the Defendant's motion, the Court finds that the failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The delay is excluded from the speedy trial computation.

Accordingly, the Court finds that the ends of justice are served by granting a continuance in this case and outweigh the best interests of the public and Defendant in a speedy trial.

The Court **GRANTS** the Defendant's motion and **CONTINUES** the final pretrial conference until March 23, 2017, at 9:00 a.m. before undersigned and schedules the jury selection and trial for April 3, 2017, at 9:00 a.m. before Hon. Nelva Gonzales Ramos.

ORDERED this 23rd day of February, 2017.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE